

REMARKS/ARGUMENTS

Reconsideration and allowance are requested.

In this Amendment, claims are amended to address informal issues.

In numbered paragraphs 2-3 (pages 2-9) of the Office Action, claims 1-5, 7-13, 15-22 and 24-25 stand rejected under 35 U.S.C. §102(b) as allegedly being anticipated by Haverinen et al. (U.S. Publication 2002/0012433). The present application is a national stage application of an international application PCT/EP02/04865 with an international filing date of May 1, 2002, which is the effective filing date. Thus, Haverinen et al. at best qualifies as a 102(e) prior art. Accordingly, Applicants will treat the above claims as being rejected under 35 U.S.C. §102(e). Applicants respectfully traverse.

For a §102 rejection to be proper, the cited reference must teach or suggest each and every claimed element. *See M.P.E.P. 2131; M.P.E.P. 706.02*. Thus, if the cited reference fails to teach or suggest one or more elements, then the rejection is improper and must be withdrawn.

Independent claim 1 recites “carrying out a challenge-response authentication procedure between the wireless terminal and the public land mobile network through the Access Controller, the wireless terminal provided with a SIM card and adapted for reading data thereof; the method characterized in that the challenge-response authentication submissions in step (c) takes place before having provided an IP connectivity to the user” and “offering the IP connectivity to the user at the wireless terminal, by sending an assigned IP address.” As recited, the wireless terminal is first authenticated, and then the IP connectivity is provided.

In the Office Action, the Examiner relies upon Figs. 7 and 8 and corresponding explanations on paragraphs [0242]-[0258] in Haverinen et al. to allegedly anticipate the features of claim 1. Fig. 7 merely shows an architecture of a mobile communication system according to

an embodiment, and Fig. 8 illustrates functional blocks of the system of Fig. 7. *See paragraphs [0241], [0248] and [0256].*

Applicants refer the Examiner Fig. 9 which illustrates the major signalling steps of the system of Figs. 7 and 8. *See paragraph [0263].* In step 301, which is the very first step, the mobile terminal MT communicates with the public access controller PAC to obtain an IP address from a DHCP server. *See paragraph [0265].* Subsequent to step 301, the authentication procedure is performed to authenticate the mobile terminal to the mobile switching center (MSC) of a mobile network. *See Haverinen et al., paragraphs [0265]-[0279].* So in Haverinen et al., the IP address is allocated to the mobile terminal prior to authenticating the mobile terminal with the underlying mobile network. Claim 1, in contrast, recites that the IP address is sent to the wireless terminal after a successful authentication. Accordingly, independent claim 1 is distinguishable over Haverinen et al.

Independent claim 15 recites, “wherein the Access Controller is configured to send an assigned IP address and other network configuration parameters to the wireless terminal to provide IP connectivity after the challenge-response authentication procedure is successfully carried out between the wireless terminal and the public land mobile network in the telecommunication system.” As demonstrated above, Haverinen et al. does not teach or suggest this feature. For at least this reason, independent claim 15 is distinguishable over Haverinen et al. Claims 2-5, 7-13, 16-22 and 24-25 depend from independent claims 1 or 15 and recite further distinguishing features. Accordingly, these dependent claims are distinguishable over Haverinen et al. Applicants respectfully request that the rejection of claims under §102(e) based on Haverinen et al. be withdrawn.

In numbered paragraphs 4-5 (pages 9-10), claims 6, 14 and 23 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Haverinen et al. In particular, official notice is taken regarding to the features of claims 6, 14 and 23.

Applicants respectfully challenge the official notice taken and request that a valid prior art reference be provided in support of the position taken. Also, claims 6, 14 and 23 depend from independent claims 1 and 15, which is demonstrated to be distinguishable over Haverinen et al. Therefore, claims 6, 14 and 23 are also distinguishable over Haverinen et al.

The application is in condition for allowance. An early notice to that effect is earnestly solicited.

Applicants believe that no fee is required for consideration of this Amendment. However, should the U.S. Patent and Trademark Office determine otherwise, authorization is hereby granted to charge any fee deficiency, or credit any payment, to our Deposit Account No. 14-1140 referencing docket number 4020-3.

Respectfully submitted,

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